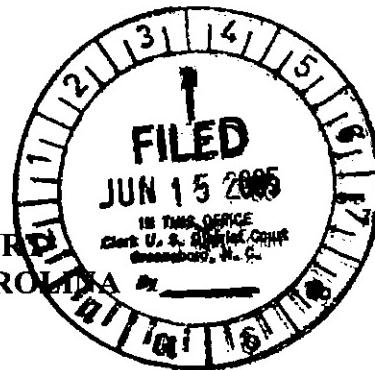


**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**



Johnathan Hillman,)
)
Plaintiff,)
)
v.)
)
Kathy Culluhun,)
)
Defendant(s).)

1:05CV00541

**ORDER OF DISMISSAL WITHOUT PREJUDICE
TO PLAINTIFF FILING A NEW COMPLAINT**

Plaintiff, a prisoner of the State of North Carolina, has submitted a civil rights action pursuant to 42 U.S.C. § 1983, together with a request to proceed in forma pauperis. The form of the complaint is such that serious flaws make it impossible to further process this complaint. The problems are:

1. None of the defendants are located within this District, but are located in Shelby, N.C., which is in the Western District and plaintiff should seek the proper forms from the clerk of that district and file the complaint there. The proper address is: Room 204, Charles R. Jonas Federal Building, 401 West Trade Street, Charlotte, NC 48202
2. Plaintiff has failed to provide a sufficient number of copies. Plaintiff must submit the original, one copy for the court, and one copy for each defendant named.

Consequently, this particular complaint will be dismissed, but without prejudice to plaintiff filing a new complaint in the proper district.

In forma pauperis status is granted for the sole purpose of entering this order of dismissal with permission to file a new complaint in the proper district.

IT IS THEREFORE ORDERED that in forma pauperis status is granted for the sole purpose of entering this order.

IT IS FURTHER ORDERED that this action be filed and dismissed sua sponte without prejudice to plaintiff filing a new complaint in the proper district.

Russell A. Eliaison

United States Magistrate Judge

June 15, 2005